



Airport Area Urban Renewal Plan

Town of Erie, Colorado

December 2012

Prepared for:

Town of Erie Urban Renewal Authority
Town of Erie Board of Trustees

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Airport Area

Urban Renewal Plan

Town of Erie, Colorado

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Airport Area Urban Renewal Plan

Town of Erie, Colorado

1.0 Introduction

1.1 Preface

This Airport Area Urban Renewal Plan (the **“Plan”**) has been prepared by the Town of Erie Urban Renewal Authority (the **“Authority”**) for the Town of Erie (**“Town”**). It will be carried out by the Authority, pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the **“Act”**). The administration and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project. In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the Town Board of Trustees must find that the presence of those conditions of blight, “substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.”

The Erie Conditions Survey, prepared by Ricker|Cunningham, dated February, 2012, which is attached hereto as **Attachment 1** (the **“Survey”**), demonstrates that the Erie Conditions Survey Area (**“Study Area”**), as defined in the Survey, is a blighted area under the Act.

1.3 Other Findings

The Area is appropriate for one or more urban renewal activities and undertakings authorized by the Act to be advanced by the Authority.

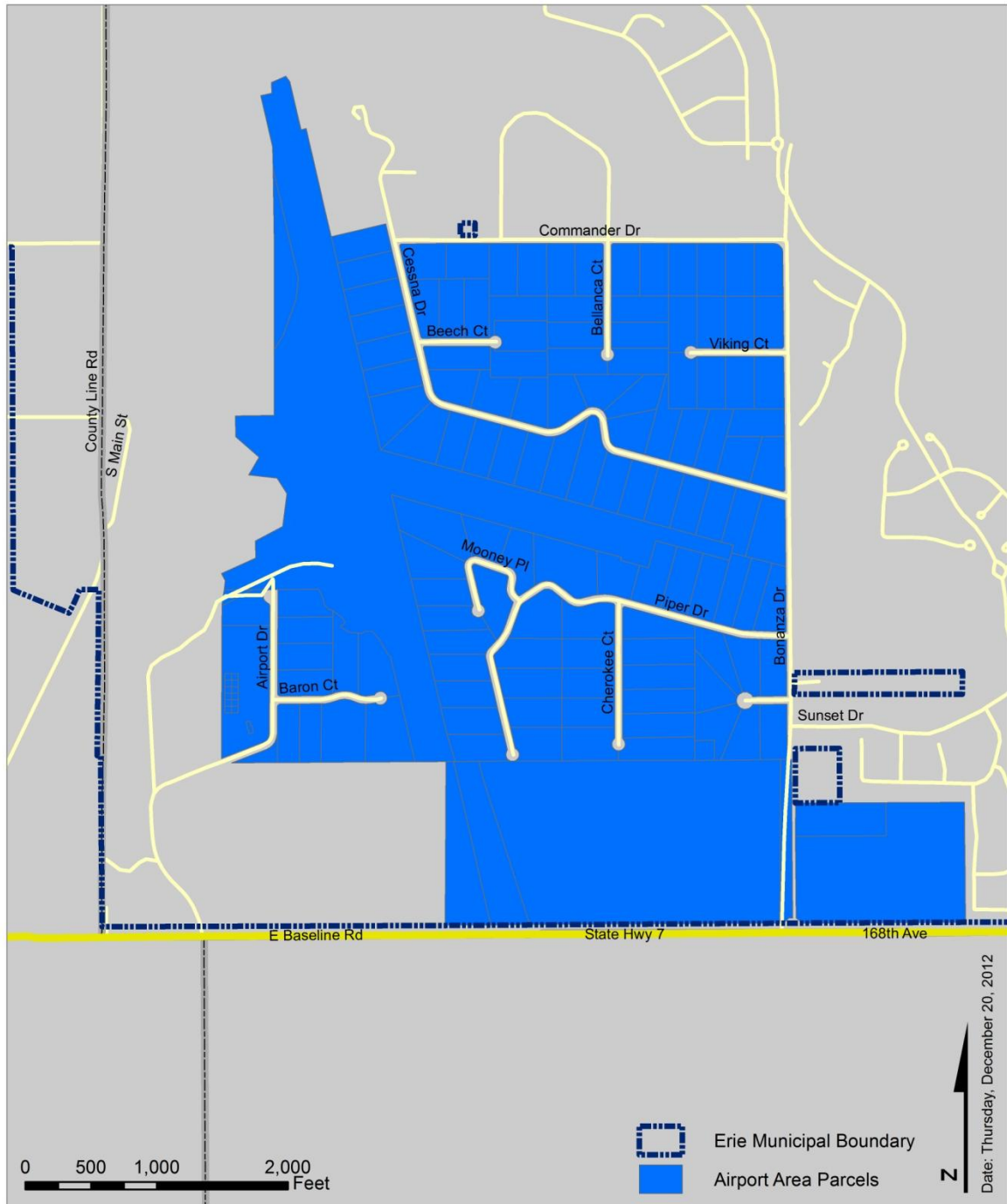
It is the intent of the Town Board of Trustees in adopting this Plan that the Authority exercise all powers authorized in the Act which are necessary, convenient or appropriate to accomplish the objectives stated herein. Further, it is the intent of this Plan that the Authority exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying conditions in the Area.

The powers conferred by the Act are for public uses and purposes for which public money may be expended. This Plan is in the public interest and necessity -- such finding being a matter of legislative determination by the Town Board of Trustees.

1.4 Urban Renewal Area Boundaries

The proposed Airport Area Urban Renewal Area (the “**Area**”) includes all properties within the Town limits as delineated in Figure No. 1 and described in the legal description presented in the Appendix. The boundaries of the Area include approximately 460 acres of land generally defined to include 144 legal parcels and adjacent rights-of-way. Geographically, it is generally situated in the northeast quadrant of East Baseline Road and East County Line Road in southern Erie, as illustrated in Figure No. 1. In case of conflict, Figure No. 1 shall control.

Figure No. 1: Urban Renewal Area



1.4.1 Map of Urban Renewal Area (Figure No. 1)

The Area map is presented as Figure No. 1 on the previous page.

2.0 Definitions

Act – means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

Area – means the Airport Area Urban Renewal Area as depicted in Figure No. 1 and legally described in Appendix II.

Authority – means the Town of Erie Urban Renewal Authority.

Town Board of Trustees – means the Town Board of Trustees of the Town of Erie.

Comprehensive Plan – the Town of Erie Comprehensive Plan adopted 2005.

Cooperation Agreement – means any agreement between the Authority and Town, or any public body (the term “public body” being used in this Plan as defined by the Act) respecting action to be taken pursuant to any of the powers set forth in the Act or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the Authority under this Plan.

C.R.S. – means the Colorado Revised Statutes, as amended from time to time.

Impact Report – means the Airport Area Weld County Impact Report prepared by RickerCunningham, dated December, 2012, attached hereto as Attachment 2 and incorporated herein by this reference.

Improvement District – means a special district created to make improvements, typically to public space infrastructure, in a given area.

Municipal Sales Tax Increment Revenue - means the municipal sales tax increment revenue allocated to the Authority as defined in Section 7.3.3 of this Plan.

Plan – means this Airport Area Urban Renewal Plan.

Property Tax Increment Area – means portion of the Area designated as a property tax increment area, as defined and pursuant to the procedures set forth in Section 7.3 of this Plan.

Property Tax Increment Revenue – means the property tax increment revenue allocated to the Authority by the Act as defined in Section 7.3.3 of this Plan.

Redevelopment / Development Agreement – means one or more agreements between the Authority and developer(s) and / or property owners or such other individuals or entities as may be determined by the Authority to be necessary or desirable to carry out the purposes of this Plan.

Sales Tax Increment Area – means any portion of the Area designated as a sales tax increment area, as defined and pursuant to the procedures set forth in Section 7.3 of this Plan.

Study Area – means the geographic territory defined for the Survey, the boundaries of which are larger than the Area boundaries.

Survey – means the Erie Conditions Survey, prepared by Ricker|Cunningham, dated February, 2012, attached hereto as Attachment 1 and incorporated herein by this reference.

Tax Increment Area – means a portion of the Area designated as a Property Tax and/or Sales Tax Increment Area, as defined and pursuant to the procedures set forth in Section 7.3 of this Plan.

Urban Renewal Project – means any work or undertaking carried out under the Act.

3.0 Purpose of the Plan

The purpose of this Plan is to reduce, eliminate and prevent the spread of blight within the Area and to stimulate growth and investment within the Area boundaries. To accomplish this purpose, the Plan promotes local objectives expressed in adopted community plans with respect to appropriate land uses, private investment and public improvements, provided that the delineation of such objectives shall not be construed to require that any particular project necessarily promote all such objectives. Specifically, the Plan seeks to advance the vision and priorities of the Comprehensive Plan.

While the principal goal of the urban renewal effort, as required by the Act, is to afford maximum opportunity, consistent with the sound needs of the Town as a whole and to develop and rehabilitate the Area by private enterprise; it is not intended to replace the efforts of area business development or marketing organizations. The development of properties within the Area will be accomplished through the improvement of existing and construction of new, structures and infrastructure, attraction of new investment and reinvestment in the Area through the involvement of the Authority and Town with participation and cooperation by the private sector.

3.1 Development and Design Objectives

All development in the Area shall conform to the Zoning Code and any site-specific zoning regulations or policies which might impact properties, all as in effect and as may be amended from time to time. While the Act authorizes the Authority to undertake zoning and planning activities to regulate land use, maximum or minimum densities, and building requirements in the Area, the Town will regulate land use and building requirements through existing municipal codes and ordinances.

General development objectives for the Area include redevelopment of properties in the Area for the purpose of generating revenue sufficient to fund public improvements that address conditions of blight and facilitate development and redevelopment of the Area and adjacent properties in a manner that will advance the Town's objectives to be a community "*which offers its residents ... a high quality of life; a balanced community with a diverse range of housing, employment, educational, shopping and recreational opportunities; and a vital community.*" (2005 Town of Erie Comprehensive Plan)

Specific objectives include the following:

1. Eliminate and prevent blight by facilitating redevelopment.
2. Implement elements of the Comprehensive Plan.
3. Support and advance actions identified in existing plans prepared by the Town of Erie related to development of vacant and under-utilized parcels that are consistent with the vision of this Plan.
4. Provide public infrastructure and make more efficient use of existing land.
5. Advance uses that can leverage public investment in planned improvements.
6. Enhance the public realm including streetscape amenities, trail connections and other pedestrian-friendly improvements.
7. Advance the Town's desire for mixed-use development that combines multiple land uses and product types in the same environment.
8. Provide a range of financing mechanisms for improvements.
9. Facilitate public-private partnerships.

4.0 Blight Conditions

Before an urban renewal plan can be adopted by the Town, the Area must be determined to be a “blighted area” as defined in Section 31-25-103(2) of the Act, which provides that, in its present condition and use, the presence of at least four (or five in cases where the use of eminent domain is anticipated), of the following factors (see below) in the Area, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare:

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property;
- (k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; or
- (l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, “blighted area” also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of Section 31-25-103(2), substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare.

The general methodology for conducting the Survey is to: (i) define the Study Area; (ii) gather information about properties, infrastructure and other improvements within the Area; (iii) evaluate evidence of blight through field reconnaissance, review of aerial

photography, discussions with representatives of various Town departments; and, (iv) record observed and documented conditions as per the Statute.

Among the 11 qualifying factors identified in the Act, the Survey identified the presence of the following nine blight factors in the Study Area:

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in
- (k5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

5.0 Plan's Relationship to Local Objectives and Appropriate Land Uses

5.1 General Description

Implementation of this Plan supports the objectives and requirements of the Comprehensive Plan with respect to development and redevelopment. As development occurs in the Area, it shall conform to the Comprehensive Plan and any subsequent updates, the Town of Erie Unified Building Code and any rules, regulations, and policies promulgated pursuant thereto, any site-specific planning documents that might impact properties in the Area including, but not limited to, Town-approved site, drainage, and public improvement plans, and

any applicable Town design standards, all as in effect and as may be amended from time to time.

Existing conditions present within the Area will be remedied by the proposed Plan and funded in part by tax increment revenues. Improvements will be phased as the market allows.

5.2 Relationship to Erie Comprehensive Plan

A general plan for the Town, known as the 2005 Town of Erie Comprehensive Plan was adopted in 2005. The Authority, with the cooperation of the Town, private enterprise and other public bodies, will undertake projects and activities described in this Plan in order to eliminate the conditions of blight identified herein while implementing the goals and objectives of the Comprehensive Plan and any subsequent updates. Specific elements of the Comprehensive Plan which this Plan advances, include the following (taken verbatim).

Chapter 1: Introduction

How to Use the Plan

Areas of Special Consideration

Three areas are identified on the Future Land Use Map as Areas of Special Consideration. These areas have been identified to acknowledge their importance as major community gateways and to acknowledge that an increased level of review and consideration will need to be placed on development proposals occurring within the areas identified, in terms of their uses and design. Specific policies for the areas defined along Highway 52 and Leon A. Wurl Parkway (WCR 8) are contained in Chapter 13, Community Character and Design and are also referenced in applicable sections of the Land Use Policies contained in this chapter. While guidance is also provided on other

gateway corridors, the Areas of Special Consideration are largely undeveloped today—giving the community the ability to establish a unified character prior to development occurring in many cases.

The policies provide guidance on the following:

- Leon A. Wurl Parkway (WCR 8)—landscape buffers, pedestrian connections, view protection, parking design and location, building orientation, fencing, and signage;
- Highway 52—Clustering of commercial development in compact activity centers, broad setbacks for residential development, and fencing;
- **County Line Road/Arapahoe Rd—Landscape buffers, pedestrian connections, view protection, parking design and location, compatibility with airport flight patterns, building orientation, fencing, signage, and transitions between urban intensity uses and existing rural residential neighborhoods and open space areas.**

Additional excerpts are presented in Appendix I.

5.3 Relationship to Other Community Plans

Implementation of this Plan will be consistent with development objectives expressed in all community adopted and accepted plans.

6.0 Authorized Urban Renewal Undertakings and Activities

The Act allows for a wide range of activities to be used in the implementation of an urban renewal plan. In the case of this Plan, it is the Authority’s intent to provide financial assistance and public improvements in cooperation with property owners and other affected parties in order to accomplish its objectives. Public-private partnerships

and other forms of cooperative development will be key to the Authority's strategy for preventing the spread of blight and eliminating existing blight conditions.

6.1 Public Improvements and Facilities

The Authority may undertake certain actions to make the Area more attractive for private investment. The Authority may, or cooperate with others to, finance, install, construct, and reconstruct any public improvements. Additionally, the Authority may, or cooperate with others to, demolish and clear existing improvements for the purpose of promoting the objectives of the Plan and the Act.

Public projects are intended to stimulate (directly and indirectly) private sector investment in and around the Area. It is the intent of this Plan that the combination of public and private investment that may be necessary to advance the objectives stated herein will assist in the investment and reinvestment of the Area and thereby contribute to the overall economic well-being of the community.

As described in Section 4.0 of this Plan, nine qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, are evident in the Area. This Plan proposes addressing each of these conditions through potential completion of the following public improvements and facilities:

- (a) Slum, deteriorated, or deteriorating structures: improvements to buildings and other structures including fences and retaining walls;
- (b) Predominance of defective or inadequate street layout: road and parking area repairs; paving; gateway and driveway construction;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness: improved access; and, property assemblage (if necessary);

- (d) Unsanitary or unsafe conditions: enhanced lighting on public rights-of-way; parking lot construction; completion of pedestrian improvements; any required off-site improvements deemed reasonable and for the public benefit; and, flood zone mitigation;
- (e) Deterioration of site or other improvements: signage repairs and construction; landscaping; and, roadway surface improvements;
- (f) Unusual topography or inadequate public improvements or utilities: on-site and off-site infrastructure improvements as approved by the Authority; sidewalk and complete street construction; and, improved curbs and gutters;
- (h) The existence of conditions that endanger life or property by fire or other causes: compliance with fire codes; and, flood zone mitigation (see (d) above);
- (i) Buildings that are unsafe or unhealthy for persons to live or work in: (see (a) above);
- (k5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements: property development and redevelopment.

6.2 Other Improvements and Facilities

There could be other non-public improvements in the Area that may be required to accommodate development and redevelopment. The Authority may assist in the financing or construction of these improvements to the extent authorized by the Act.

6.3 Development Opportunities—Catalyst Projects

A key concept associated with implementation of the Plan is targeted investment that will serve to catalyze development throughout the Area and fund public improvements. The aggregate impact of potential investment within the Area is reflected in the Impact Report in Attachment 2.

6.4 Development Standards

All development in the Area shall conform to applicable rules, regulations, policies and other requirements and standards of the Town and any other governmental entity which has jurisdiction over all or any portion of the Area.

In conformance with the Act and the Plan, the Authority may adopt design standards and other requirements applicable to projects undertaken by the Authority in the Area. Unless otherwise approved by the Town Board of Trustees, any such standards and requirements adopted by the Authority shall be consistent with all other Town zoning and development policies and regulations.

6.5 Variations in the Plan

The Authority may propose, and the Town Board of Trustees may make, such modifications to this Plan as may be necessary provided they are consistent with the Comprehensive Plan and any subsequent updates, as well as the Act, or such amendments made in accordance with this Plan and as otherwise contemplated by this Plan.

The Authority may, in specific cases, allow non-substantive variations from the provisions of this Plan if it determines that a literal enforcement of the provision would constitute an unreasonable limitation beyond the intent and purpose stated herein.

6.6 Urban Renewal Plan Review Process

The review process for the Plan is intended to provide a mechanism to allow those parties responsible for implementing key projects to periodically evaluate its effectiveness and make adjustments to ensure efficiency in implementing the recommended activities.

The following steps are intended to serve as a guide for future Plan review:

- (a) The Authority may propose modifications, and the Town Board of Trustees may make such modifications as may be necessary provided they are consistent with the Comprehensive Plan and any subsequent updates, as well as the Act.
- (b) Modifications may be developed from suggestions by the Authority, property and business owners, and Town staff operating in support of the Authority and advancement of this Plan.
- (c) A series of joint workshops may be held by and between the Authority and property and business owners to direct and review the development of Plan modifications.

6.7 Property Acquisition and Land Assemblage

The Authority may acquire property by negotiation or any other method authorized by the Act, except that any proposal to acquire property under the power of eminent domain must first be approved by the Town Board of Trustees. The Authority may temporarily operate, manage and maintain property acquired in the Area. Such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

6.8 Relocation Assistance

It is not anticipated that acquisition of real property by the Authority will result in the relocation of any individuals, families, or business concerns. However, if such relocation becomes necessary, the Authority will adopt a relocation plan in conformance with the Act.

6.9 Demolition, Clearance, Environmental Remediation, and Site Prep

In carrying out this Plan, it is anticipated that the Authority may, on a case-by-case basis, elect to demolish or to cooperate with others to clear buildings, structures and other improvements. Additionally, development activities consistent with this Plan, including but not limited to Development or Cooperation Agreements, may require such demolition and clearance to eliminate unhealthy, unsanitary, and unsafe conditions, eliminate obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of deterioration.

With respect to property acquired by the Authority, it may demolish and clear, or contract to demolish and clear, those buildings, structures and other improvements pursuant to this Plan, if in the judgment of the Authority, such buildings, structures and other improvements are not to be rehabilitated in accordance with this Plan. The Authority may also undertake such additional site preparation activities as it deems necessary to facilitate the disposition and development of such property.

6.10 Property Disposition

The Authority may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements, as it deems necessary to develop such property. Real

property or interests in real property may be sold, leased or otherwise transferred for uses in accordance with the Act and this Plan. All property and interest in real estate acquired by the Authority in the Area that is not dedicated or transferred to public entities, shall be sold or otherwise disposed of for redevelopment in accordance with the provision of this Plan and the Act.

6.11 Redevelopment and Rehabilitation Actions

Development and redevelopment actions within the Area may include such undertakings and activities as are in accordance with this Plan and the Act, including without limitation: demolition and removal of buildings and improvements; installation, construction and reconstruction of public improvements; elimination of unhealthful, unsanitary or unsafe conditions; elimination of obsolete or other uses detrimental to the public welfare; prevention of the spread of deterioration; and, provision of land for needed public facilities. The Authority may enter into Cooperation Agreements and Redevelopment /Development Agreements to provide assistance or undertake all other actions authorized by the Act or other applicable law to develop and redevelop the Area.

6.12 Redevelopment / Development Agreements

The Authority is authorized to enter into Redevelopment/Development Agreements or other contracts with developer(s) or property owners or such other individuals or entities as are determined by the Authority to be necessary or desirable to carry out the purposes of this Plan. Such Redevelopment/Development Agreements, or other contracts, may contain such terms and provisions as shall be deemed necessary or appropriate by the Authority for the purpose of undertaking the activities contemplated by this Plan and the Act, and may further provide for such undertakings by the Authority, including

financial assistance, as may be necessary for the achievement of the objectives of this Plan or as may otherwise be authorized by the Act.

Any existing agreements between the Town and private parties that are consistent with this Plan are intended to remain in full force and effect, unless all parties to such agreements agree otherwise.

6.13 Cooperation Agreements

For the purpose of this Plan, the Authority may enter into one or more Cooperation Agreements pursuant to the Act. The Town and the Authority recognize the need to cooperate in the implementation of this Plan and, as such, Cooperation Agreements may include, without limitation, agreements regarding the planning or implementation of this Plan and its projects, as well as programs, public works operations, or activities which the Authority, the Town, or such other public body otherwise empowered to undertake and including without limitation, agreements respecting the financing, installation, construction and reconstruction of public improvements, storm water detention, environmental remediation, landscaping and/or other eligible improvements. This paragraph shall not be construed to require any particular form of cooperation.

6.14 Creation of Tax Increment Areas

The boundaries of the Area shall be as set forth in **Appendix II**. As more fully set forth herein **Section 7.3** below, it is the intent of the City Council in approving this Plan to authorize the use of Tax Increment Financing (TIF) by the Authority as part of its efforts to undertake this Plan. Pursuant to the provisions of Section 31-25-107(9) of the Act, the City Council in approving this Plan contemplates that separate property tax increment areas ("**Property Tax Increment Areas**") and/or sales tax increment areas ("**Sales Tax Increment**

Areas”) (Property Tax Increment Areas and Sales Tax Areas, collectively, **“Tax Increment Areas”**) shall be created within the Area as development occurs. Notwithstanding such distinction, the Authority is specifically authorized to expend the revenue from property tax increments, all or a portion of municipal sales tax increments, or any combination thereof, to the extent authorized by the Act.

As a new Tax Increment Area is needed, this Plan may be amended to reflect the boundaries of that new Tax Increment Area. The process for creating a new Tax Increment Area shall be initiated by the Authority. Each such amendment, unless specifically stated to the contrary, shall be deemed an adoption of a provision that taxes, if any, levied and collected after the effective date of the approval of the amendment, upon taxable property in the Property Tax Increment Area defined in such amendment or that municipal sales tax, or any portion thereof, collected in the twelve-month period prior to the effective date of the amendment within the Sales Tax Increment Area defined in such amendment, or both such taxes, shall be allocated to the Authority as set forth in the amendment for a period of twenty-five years or such lesser period as provided in any Cooperation Agreement and/or Redevelopment/Development Agreement.

A legal description for the first TIF District to be established with adoption of this Plan is presented in Appendix II.

7.0 Project Financing

7.1 Public Investment Objective

A critical component to the success of any urban renewal strategy is participation by both the public and private sectors. Leveraging of resources will be key as no one entity, either public or private, has sufficient resources

alone to sustain a long-term improvement effort. Typical public infrastructure investments may include, but are not limited to: completing streetscape elements; improving access and circulation; completing regional pedestrian connections; improving streets and public spaces; providing other infrastructure improvements; completing roads and utilities; and, creating various financing mechanisms.

7.2 Authorization

The Authority may finance undertakings pursuant to this Plan by any method authorized under the Act or any other applicable law, including without limitation: issuance of notes, bonds and other obligations as defined in the Act in an amount sufficient to finance all or part of this Plan; borrowing of funds and creation of indebtedness; reimbursement agreements; and / or utilization of the following: federal or state loans or grants; interest income; annual appropriation agreements; agreements with public or private entities; and, loans, advances and grants from any other available sources. The principal, interest, costs and fees on any indebtedness are to be paid for with any lawfully available funds of the Authority.

Debt may include bonds, refunding bonds, notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, or any other obligation lawfully created.

7.3 Tax Increment Financing

Activities may be financed by the Authority under the TIF provisions of the Act. Such tax incremental revenues may be used for a period not to exceed the statutory requirement, which is presently 25 years after the effective date of adoption of this Plan, calculated in accordance with applicable rules of the Property Tax Administrator of the State of Colorado.

7.3.1 Special Fund

In accordance with the requirements of the law, the Authority shall establish a tax increment revenue fund for the deposit of all funds generated pursuant to the division of ad valorem property and municipal tax revenue described in this section.

7.3.2 Base Amount

That portion of the taxes which are produced by the levy at the rate fixed each year by or for each public body upon the valuation for assessment of taxable property in the Tax Increment Area last certified prior to the effective date of approval of the Plan (or future amendments) and that portion of municipal sales taxes collected within the boundaries of the Tax Increment Area in the twelve-month period ending on the last day of the month prior to the effective date of approval of the Plan, shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

7.3.3 Increment Amount

As explained under 6.14 above, that portion of said property and municipal taxes in excess of such base amount set forth in Section 7.3.2 of this Plan shall be allocated to and, when collected paid into the tax increment revenue fund to pay the principal of, the interest on, and any other premiums due in connection with the bonds of, loans or advances to or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, the Authority for financing or refinancing, in whole or in part, the Urban Renewal Project (as defined in the Act), or to make payments authorized by the Act. Unless and until the total valuation for assessment of the taxable property in the Tax Increment Area exceeds

the base valuation for assessment of the taxable property in the Tax Increment Area, all of the taxes levied upon taxable property in the Tax Increment Area shall be paid into the funds of the respective public bodies. Unless and until the total municipal sales tax collections in the Tax Increment Area exceed the base year municipal sales tax collections in the Tax Increment Area, as provided in Section 7.3.2, above, all such sales tax collections shall be paid into the funds of the City. When such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Area shall be paid into the funds of the respective public bodies.

The increment portion of the taxes, as described in this subsection 7.3.3, may be irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such bonds, loans, advances and indebtedness incurred by the Authority to finance the Urban Renewal Project (as defined in the Act); provided, however, any offsets collected by the County Treasurer for return of overpayments or any reserve funds reserved by the Authority for such purposes in accordance with Section 31-25-107(9)(a)(III) and (b), C.R.S. The Authority shall set aside and reserve a reasonable amount as determined by the Authority of all incremental taxes paid to the Authority for payment of expenses associated with administering the Plan.

If there is any conflict between the Act and this Plan, the provisions of the Act shall control, and the language in the Plan will be automatically deemed to conform to the statute.

7.4 Other Financing Mechanisms / Structures

The Plan is designed to provide for the use of TIF as one tool to facilitate investment and reinvestment within the Area. However, in addition to TIF, the Authority shall be authorized to finance implementation of the Plan by any method authorized by the Act. The Authority is committed to making a variety of strategies and mechanisms available which are financial, physical, market and organizational in nature. It is the intent of this Plan to use the tools either independently or in various combinations. Given the obstacles associated with redevelopment, the Authority recognizes that it is imperative that solutions and resources be put in place which are comprehensive, flexible and creative.

8.0 Severability

If any portion of this Plan is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the Plan.

Airport Area

Urban Renewal Plan

Town of Erie, Colorado

Appendix I:

Town of Erie Comprehensive Plan, adopted 2005 (excerpts taken verbatim, but formatted for emphasis)

Chapter 2: Vision and Guiding Principles

Vision

Erie is a community which recognizes the importance of conserving and enhancing its historic small town character, the roots from which it grew, preserving the natural environment in which it resides; a caring community which offers its residents an environment in which to seek a high quality of life; a balanced community with a diverse range of housing, employment, educational, shopping and recreational opportunities; and a vital community which provides financial and social support for quality of life programs.

Guiding Principles

A Coordinated and Efficient Pattern of Growth

The Town will have a compact pattern that encourages urban growth to locate within the Planning Area Boundary, fosters the efficient provision of infrastructure and services, and balances development and conservation of the natural environment.

Quality Design and Development

Erie will promote a high standard of design for all new development, renovation, and rehabilitation to reinforce and enhance its unique nature for residential neighborhoods, public places, and commercial businesses.

Overall Economic Vitality

The Town will promote a healthy, thriving economy that provides opportunities for quality employment with livable wages for its residents.

A Comprehensive, Integrated Transportation System

Erie has a safe, efficient, and innovative transportation system that reduces neighborhood isolation and promotes a sense of community by connecting all areas of town, accommodates various modes of public and private transit, and facilitates travel to regional centers.

Balanced Land Use Mix

The Town will work to diversify and balance the mix of land uses as the Town grows. Particular emphasis will be placed on enhancing the local economic base to provide employment opportunities for residents, seeking to achieve a better balance as a place to work as well as live. In so doing, the community will seek a balance between the enhancement of Old Town's vitality and other existing areas of the community and the identification of opportunities for commercial and employment in outlying areas.

Stable, Cohesive Neighborhoods Offering a Variety of Housing Types

The Town will promote new neighborhoods that contain a mix of land uses and diversified housing options that meet the varying needs of its residents, including single family, attached homes (duplexes, townhomes), multifamily dwellings, and housing included as part of mixed-use developments. The Town will work to maintain the quality and character of established neighborhoods and ensure that infill and redevelopment is designed in a manner that minimizes impacts on existing neighborhoods, including rural neighborhoods in the Planning Area. New housing and neighborhoods should be appropriate in size, scale, design and use. New housing areas should be located where residents will have access to the full range of infrastructure, facilities and services that are needed for healthy, livable neighborhoods.

Provide Infrastructure and Public Services Efficiently and Equitably

Erie will coordinate future development and/or provision of capital facility projects and infrastructure, including water, wastewater, fire protection, emergency management services,

police protection, schools, parks, and other utilities that affect the quality of life and economic stability of the community.

Chapter 3: Community Building Blocks

Erie's five Community Building Blocks include:

- Neighborhood Emphasis
- Mixed-Use Development
- Gateways and Corridors
- Rural Character
- Economic Sustainability

Mixed-Use Development

The Land Use Plan (Chapter 4, pages 4-17) includes a new land use category to accommodate Mixed-Use Development. At a general level these mixed-use areas are similar in that they are intended to contain a variety of activities, such as offices, retail, and multiple housing types. They differ, however, in that the scale and configuration of development will vary by its location and development context (i.e., Old Town infill/redevelopment vs. new development). Common principles for mixed-use development include:

Mix of Uses

- Depending upon their location and scale, primary uses for mixed-use development areas may include commercial, office, retail, and/or housing. However, more active uses such as retail and commercial should be placed at the ground level to provide pedestrian interest. Where activity uses are limited, they should be concentrated at key intersections or near major public spaces to maximize public exposure and increased activity levels.
- Both vertical (stacked) and horizontal (side-by-side) mixed-use is encouraged in Erie provided it is well-connected to surrounding neighborhoods.

- Vertical mixed-use refers to the integration of two or more land use types within a building, occurring on different floors, one of which is residential. A typical example of a vertical mixed use building would incorporate active uses, such as stores, offices, and restaurants, at the street level and residential or office uses on the upper floors.
- Horizontal mixed-use refers to a pattern where several types of uses or buildings, together with residential, are included, as part of a cohesive development in proximity to each other – but each building would contain its own separate use. They would be designed as a set of coordinated uses, with common parking areas, strong pedestrian connections, and similar design features, but would contain separate uses in each building.

Design for Pedestrians/Multi-Modal Access

- Site plan and building designs should be pedestrian-oriented by incorporating wide and detached sidewalks and paths, seating, low-level lighting, and signs that are scaled for pedestrians in high activity areas.
- Mixed-use development should incorporate walkable blocks (typically less than 400 feet in length) with frequent pedestrian connections to adjacent neighborhoods.
- Provide for interconnected block and street patterns.
- Provide access to the arterial street system and provide locations for future transit stops.
- Provide connections to parks, trails, and open space.

Include Housing

- Incorporating housing into mixed-use development areas is strongly encouraged, either in a vertical (stacked) configuration or as an adjacent, but well-integrated use.
- High density housing should be concentrated within or near activity centers to provide opportunities for residents to walk to shops, services, and jobs.
- In larger mixed-use developments, housing (apartments, lofts, or townhomes) can also be used to provide transitions to surrounding neighborhoods.

Transitions From and Connections to Surrounding Areas

- In the Old Town area, mixed-use developments should be used to help revitalize major corridors into the downtown core (Briggs Street and Cheesman) and should provide transitions to surrounding neighborhoods.
- Larger mixed-use developments should be designed in conjunction with surrounding neighborhoods where possible, providing direct connections and strong development relationships.

Gateways and Corridors

Erie has an opportunity to establish distinct entryways to the community along its major gateway corridors. This opportunity is most evident along Leon A. Wurl Parkway (WCR 8) and Highway 52, where development to date has been limited, but is anticipated on the Future Land Use Map. Other gateway corridors, including County Line Road (North and South), Baseline Road (Hwy 7), and Arapahoe Road, have a character that is fairly well established either through existing open space or existing development patterns. Future development in any of the Town's gateway corridors should be designed with the following principles in mind:

Development Quality/Relationship to the Corridor

- Development setbacks should be landscaped to buffer development, to help preserve key view corridors, to provide an inviting environment for pedestrians, and to establish a consistent character.
- Development should be oriented towards the gateway corridor, providing a high level of architectural detailing and entrances for pedestrians.
- Buildings located at major intersections should be brought closer to the street to anchor corners and to help form a gateway into adjoining neighborhoods.
- Parking, loading areas, and other unsightly uses should be located away from the gateway corridor where possible and should be fully screened using a combination of landscaping, berming, and/or decorative fencing.

Economic Sustainability

Employment opportunities and commercial services within Erie are currently very limited. The Town recognizes that expanding opportunities for employment and commercial development is important to enhance tax revenues generated in the Town as well to reduce the need for residents to travel to neighboring communities to work, shop, and meet other daily needs. The Town also recognizes that attracting significant commercial and employment development will be challenging given the high volume of competition from neighboring Front Range communities.

In light of these challenges, the Plan seeks to achieve build economic sustainability over time by placing an emphasis on each of the community building blocks highlighted in this Chapter:

- the creation of high-quality residential neighborhoods;
- encouraging a more mixed-use pattern of development that allows the integration of commercial and employment uses on a smaller scale;
- establishing a high quality pattern of development along the community's major gateway corridors; and
- protecting the community's rural character as a unique aspect of its appeal.

Chapter 4: Land Use

Goal #1: Balanced Land Use Mix

Plan for a balanced mix of commercial and residential land uses in Erie.

RESIDENTIAL

Rural Residential Policies:

RR 1.1—CHARACTERISTICS

The Rural Residential designation provides a rural setting for large-lot, very low density single-family housing. Lot sizes and layouts will be dependent upon topographical constraints and hilly terrain located in some areas of the community. In some cases, large portions of a lot may remain in an undeveloped state, reinforcing the rural character of this development pattern. Existing Rural Residential development in Boulder and Weld Counties typically relies on individual sewage treatment systems and either individual water wells or rural water districts. New Rural Residential developments located within the Town's incorporated area will be required to be served by municipal water and wastewater service. Single lot developments will be required to be served by municipal water and wastewater service if within 400 feet of a sewer line.

RR 1.2—DENSITY RANGE

Homes will typically occur at densities of between 0-2 dwelling units per acre, with average densities of 1 dwelling unit/acre. However, lots in many existing rural subdivisions in the Planning Area exceed 1 acre.

RR 1.3—LOCATION

Rural Residential neighborhoods will typically be located at the fringe of urban development, near existing rural neighborhoods, or in areas with steeper terrain or other natural features unsuitable for urban residential development. In some cases, they will serve as a transition between more intense urban neighborhoods and natural features to be protected or existing rural neighborhoods.

RR 1.4—CLUSTER DEVELOPMENT

The Town will encourage the use of cluster development patterns as a means of preserving scenic view corridors, preserving natural features, creating transitions between areas of different development intensity, and providing open space for the common use and enjoyment of residents and the broader community. The use of cluster development patterns as a means of

preserving cohesive blocks of agricultural land is also encouraged. (See also: Community Character and Design)

RR 1.5—OPEN SPACE

Open space designated through clustering, dedication, or other means should provide strong visual and physical connections to the surrounding open space and trails network—both existing and planned.

RR 1.6—ROADWAY DESIGN

Access road and driveway configurations should follow the natural contours of topographic features to minimize slope disturbances, maximize scenic views, and conserve natural features.

High-Density Residential Policies:

HDR 1.1—CHARACTERISTICS

The High Density Residential designation accommodates higher-intensity residential housing types, such as apartments, townhomes and condominiums, combined with complementary residential and non-residential land uses, such as single-family attached and detached homes, retail, commercial, and office uses. Mixed-use buildings may also be appropriate, provided that they are designed in scale with other uses in the development area. Schools, places of worship, and other civic uses are also appropriate. Developments generally have shared parking and recreational facilities. Site design should allow for convenient access to work, service, and leisure destinations and should encourage the use of alternative modes of travel.

HDR 1.2—DENSITY RANGE

High Density Residential neighborhoods typically have a gross density of 12-20 dwelling units per acre to allow for a variety of housing types; however, average gross densities will not typically exceed 16 dwelling units/acre.

HDR 1.3—LOCATION

High Density Residential uses are typically located near intersections of arterials and collector streets, but may also be used to provide a transition between commercial or employment areas and lower density neighborhoods. High-density neighborhoods should not be located in settings where the only access provided consists of local streets passing through lower density neighborhoods.

MIXED-USE

Background and Intent

The Future Land Use Plan Map identifies two Mixed-Use Categories: The Downtown District and Mixed-Use. The Downtown District incorporates Erie's historic commercial downtown, and is largely focused on ensuring the compatibility of infill and redevelopment within the area's historic context. The Mixed-Use category is primarily focused on the creation of mixed-use development in areas that are currently undeveloped; however, it also addresses the extension of mixed-use development along downtown's primary gateway corridors. The addition of the Mixed-Use category represents a more flexible approach to development within the Town largely driven by the Town's desire to establish itself as a community of neighborhoods.

Mixed-Use Policies:

MU 1.1—CHARACTERISTICS

Mixed-Use development provides a mix of residential, commercial, retail, and office uses in a compact, pedestrian-oriented environment. These areas should incorporate pedestrian-friendly design elements through management of location, scale and orientation of parking facilities, driveways, connective sidewalks and trails, public plazas, and storefronts.

MU 1.2—LOCATION

Mixed-use development may be located near the intersections of arterials and collector streets, but may also be used to provide a transition between commercial or employment centers and residential neighborhoods. It is also encouraged along the Briggs and Cheesman Street Corridors in downtown.

MU 1.3—INTEGRATION OF USES

Mixed-Use Development can occur in two primary configurations – Vertical Mixed- Use or Horizontal Mixed-Use. Vertical mixed-use refers to the integration of two or more land use types within a building, occurring on different floors. A typical example of a vertical mixed use building would incorporate active uses, such as stores and restaurants, at the street level and residential or office uses on the upper floors. Horizontal mixed-use refers to a pattern where several types of uses or buildings are included, as part of a cohesive development in proximity to each other – but each building would contain its own separate use. Either pattern should be designed as a set of coordinated uses, with common off-street parking areas, strong pedestrian connections, and similar design features.

MU 1.5—GATEWAY CORRIDORS

Mixed-use development located along an identified gateway corridor will be subject to additional development standards as specified in policy CCD 1.5, Community Character and Design.

COMMERCIAL

Background and Intent

Commercial uses are intended to provide concentrated nodes of community services. The Future Land Use Plan Map identifies three types of commercial uses based upon the location and intensity of the center: Regional Commercial, Community Commercial, and Neighborhood

Commercial. Policies for each type are provided below along with several generally applicable policies for all commercial uses. As there are limited commercial uses in Erie today, the Town is fortunate to have the opportunity to guide the location and form of these uses along its major gateway corridors. To reinforce the Town’s vision to become a community of neighborhoods, commercial uses will be located in compact activity centers as opposed to a linear, “strip” type of pattern as is typical in many more urbanized communities. Commercial uses will also be linked to and be sensitive to surrounding neighborhoods in terms of access and design.

General Commercial Policies—All Categories:

C 1.1—CIRCULATION AND ACCESS

Clear, direct pedestrian connections should be provided through parking areas to building entrances and to surrounding neighborhoods or streets. Integrate main entrances or driveways with the surrounding street network to provide clear connections between uses for vehicles, pedestrians, and bicycles.

C 1.2—PARKING DESIGN AND LOCATION

Uninterrupted expanses of parking should be avoided. Parking areas should be broken into smaller blocks divided by landscaping and pedestrian walkways that are physically separated from vehicular drive isles. Parking areas should be distributed between the front and sides of buildings, or front and rear, rather than solely in front of buildings to the maximum extent feasible. Parking facilities should also promote safe pedestrian, bike, and public transit modes of transportation through appropriate placement of landscaped islands and facilities.

C 1.3—ARCHITECTURAL CHARACTER

Commercial centers shall be required to meet design standards for commercial development as specified in the Unified Development Code to address the compatibility with surrounding areas and mitigation of negative visual impacts such as uninterrupted wall planes, parking areas, and service and loading areas. While design standards will apply to all Community Commercial

development, they are particularly important to consider for larger footprint retail buildings, or “big-box” stores. Standards address such features such as:

- Façade and exterior wall plane projections or recesses;
- Arcades, display windows, entry areas, awnings, or other features along facades facing public streets;
- Location, distribution, and screening of parking;
- Building facades with a variety of detail features (materials, colors, and patterns);
- Location and screening of mechanical equipment; and
- High quality building materials.

C 1.4—GATEWAY CORRIDORS

Commercial centers located along an identified gateway corridor will be subject to additional development standards as specified in policy CCD 1.5, Community Character and Design.

Community Commercial Policies:

CC 1.1—CHARACTERISTICS

Community Commercial centers provide a mix of general retail (e.g. grocery stores, larger retailers) and commercial services in a concentrated and unified setting that serves the local community. These centers typically have a Gross Leasable Area of between 100,000 and 250,000 square feet and generally range between 10 and 20 acres in size. Centers located along the Highway 52 Corridor may be significantly smaller and may not necessarily include a major anchor as in other areas of the community.

CC 1.2—LOCATION

Community Commercial centers should be located at the intersection of one or more major arterial streets. They may be located adjacent to urban residential neighborhoods and may occur along primary highway corridors as existing uses become obsolete and are phased out and

redeveloped over time. Large footprint retail buildings (often known as “big-box” stores) shall only be permitted where adequate access can be provided.

CC 1.3—UNIFIED SITE DESIGN

A unified site layout and design character (buildings, landscaping, signage, pedestrian and vehicular circulation) shall be required and established for the center to guide current and future phases of development. Building and site design should be used to create visual interest and establish a more pedestrian-oriented scale both within the center and to surrounding neighborhoods.

CC 1.4—ORGANIZATION OF USES

Community commercial uses should be concentrated and contained within planned activity centers throughout the community. Within each activity center, complementary uses should be clustered within walking distance of each other to facilitate efficient, one-stop shopping, and minimize the need to drive between multiple areas of the center. Large footprint retail buildings or “big-box” stores should be incorporated as part of an activity center or node along with complementary uses. Isolated single store developments or linear “strip” developments are strongly discouraged.

EMPLOYMENT (BUSINESS / INDUSTRIAL)

Industrial Policies:

I 1.1—CHARACTERISTICS

The Industrial designation is intended to provide locations for light and manufacturing, warehousing and distribution, indoor and screened outdoor storage, airport-related industrial, and a wide range of other industrial services and operations. Several heavy industrial uses currently exist within the Town’s Planning Area and typically involve more intensive work processes, manufacturing, and basic resource handling or extraction. New heavy industrial uses

will generally be discouraged. Zoning controls within an Industrial area are not as extensive as in the Business category and a broader range of uses is permitted, including those that involve extensive outdoor activities.

I 1.2—LOCATION

Because of their potential environmental impacts, Industrial uses should generally be located away from population centers or must be adequately buffered. Industrial uses that generate significant noise should be located away from residential areas and must be in compliance with the Town's Noise Ordinance. Traffic generated by Industrial uses should not pass through residential areas. Sites should have access to one or more major arterials or highways capable of handling heavy truck traffic.

I 1.3—SCREENING

Storage, loading and work operations should be screened from view along all industrial area boundaries (when adjacent to non-industrial uses) and along all public streets.

I 1.4—AIRPORT COMPATIBLE LAND USES

The suitability of Industrial uses within the environs of the Erie Municipal Airport shall be determined according to the Land Use Compatibility Guidelines contained in DRCOG's Airport Compatible Land Use Design Handbook.

Chapter 5: Growth Management

Goal #1: Sustainable Development Patterns

Promote the sustainable use of land and other resources by encouraging orderly, contiguous growth and compact development.

Policies:

GM 1.1—ENCOURAGE A BALANCED MIX OF RESIDENTIAL AND NONRESIDENTIAL USES IN THE COMMUNITY

The Town will strive to achieve a more balanced mix of residential and nonresidential uses to shift its emphasis away from a “bedroom” community.

Goal #2: Planning Area Boundary

Identify areas for future expansion of the Town that can be serviced and are compatible with the Town and its systems. This area could include a combination of urban and rural development, open space, and other uses as appropriate.

Policies:

GM 2.1—CONSIDER BENEFITS AND COSTS OF ANNEXATION ON A CASE-BY-CASE BASIS

Consider the benefits and costs of annexation of undeveloped lands within Boulder and Weld County and existing enclaves of development on a case-by-case basis. Proposed annexations shall be considered where the following criteria can be met or demonstrated:

- Location relative to the Town’s Boundary. The annexation should be a logical extension of the Town boundaries. The pattern of the proposed growth should extend outward from the existing Town limits in a logical, appropriately phased manner.
- Mix and balance of proposed land uses and consistency with the Comprehensive Plan. The annexation and proposed development should be consistent with the policies set forth in the Town’s Comprehensive Plan and other policies as adopted.
- Fiscal impacts of the proposed annexation. The annexation and proposed development should have a demonstrated significant benefit to the Town. Tangible and intangible benefits that may be considered include: sales tax generation, employment base expansion, surplus water rights acquisition, unique open space or recreational amenities

for the Town, housing opportunities for the elderly or other special populations, and utility or service upgrades or benefit to other areas of the Town.

- Ability of the Town to provide facilities and services. The annexation and proposed development shall be provided with adequate urban services, which are capable of being integrated into the Town's existing or planned utility, transportation, public safety, and general services system in a financially responsible manner.
- Cost of providing facilities and services. The fiscal impacts of extending and providing Town services for the life of the development will be weighed against the anticipated tax and other revenues generated from the proposed development. Necessary infrastructure improvements shall not be planned, constructed, or funded in such a manner as to impose an unreasonable level of public or private debt relative to realistic buildout as based upon sound demographic and growth projections annually approved by the Town.
- Benefit of proposed annexation outweighs negative impacts. Existing urban density development currently zoned within Boulder or Weld County and included in the Town's Planning Area shall be considered for annexation if the benefit to the Town outweighs any negative impacts.

TOWN'S PLANNING AREA BOUNDARY

The Planning Area Boundary identifies the area in which Erie wishes to influence land use decisions, and asks other jurisdictions to recognize Erie's right to do so. The map included in the complete Comprehensive Plan illustrates the relationship between Erie's incorporated boundary (represented by the area shaded in orange) and its Planning Area Boundary (represented by the area shaded in green).

Airport Area Urban Renewal Plan

Town of Erie, Colorado

Appendix II:

Urban Renewal Plan Area Legal Description

Airport Area Urban Renewal Plan

Town of Erie, Colorado

Appendix III:

Tax Increment Area Legal Description